

UNITED STATES DISTRICT COURT

for the
Eastern District of Missouri**FILED**

JUN - 3 2016

U.S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUISIn the Matter of
(Briefly describe the property to be searched
or identify the person by name and address)the Use of a Cell-Site Simulator to Locate the Cellular
Device Assigned Electronic Identifying Number
(636) 283-8769.

Case No. 4:16 MJ 5170 NAB

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

the Use of a Cell-Site Simulator to Locate the Cellular Device Assigned Electronic Identifying Number (636) 283-8769.

located in the Eastern District of Missouri, there is now concealed (identify the person or describe the property to be seized):

see "Attachment A."

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

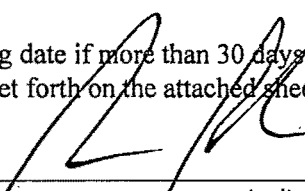
- ☐ evidence of a crime;
- ☐ contraband, fruits of crime, or other items illegally possessed;
- ☐ property designed for use, intended for use; or used in committing a crime;
- ☒ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section
Title 18, U.S.C., Section 751Offense Description
Flight of a fugitive

The application is based on these facts:
see attached APPLICATION, and AFFIDAVIT IN SUPPORT OF APPLICATION, FOR A WARRANT TO AUTHORIZE USE OF A CELL-SITE SIMULATOR TO LOCATE CELLULAR DEVICE. I certify that the information likely to be obtained is relevant to an ongoing criminal investigation being conducted by [investigative agency(ies)].

- ☒ Continued on the attached sheet.
- ☒ Delayed notice of 180 days (give exact ending date if more than 30 days: 12/03/2016) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.


 Applicant's signature
 DREW POLAN, Deputy United States Marshal
 United States Marshals Service (USMS)

Printed name and title

Sworn to before me and signed in my presence.

Date:

6/3/16City and state: St. Louis, Missouri

 Judge's signature

Honorable Nannette A. Baker, U.S. Magistrate Judge

Printed name and title

AUSA: Amanda S. Wick

ATTACHMENT A

PURSUANT TO AN INVESTIGATION OF:

the cellular device assigned electronic identifying number (636) 283-8769 (hereinafter the "**target cellular device** "), and individuals known as **Jason E. BIERMANN** for a violation of Title 18, United States Code, Section 751,(hereinafter the "subject offense(s)"), the Warrant authorizes United States Marshals Service (USMS) and other authorized federal/state/local law enforcement agencies (hereinafter referred to as "investigative agency(ies)") to use an electronic surveillance technique, that being a cell-site simulator (hereinafter "cell-site simulator") for a period of forty-five (45) days following the issuance of this warrant i.e., June 3, 2016, to July 17, 2016, 11:59 p.m. (CT), at all times of day and night, to determine the location of the target cellular device.

This warrant does not authorize the interception of any telephone calls, text messages, other electronic communications, and this warrant prohibits the seizure of any tangible property. The Court finds reasonable necessity for the use of the technique authorized above. See 18 U.S.C. § 3103a(b)(2).

Ascertaining and monitoring of the location of the target cellular device by the methods described herein will begin within ten (10) days of the date of issuance of the Warrant and Order.

The investigative agency(ies) will make no affirmative investigative use of any identifiers collected from cellular devices other than the target cellular device(s), except to locate the target cellular device(s). Once investigators ascertain the location of the target cellular device, they will end the collection, and any information collected concerning cellular devices other than the target cellular device(s) will be deleted.